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Research on the training path of Chinese foreign-related lawyers from an international perspective

Xinyan Yu*

Institute of Evidence Law and Forensic Science, China University of Political Science and Law, Beijing, China.

***Corresponding author,E-mail: 2202260324@cupl.edu.cn**

Abstract

With the economic globalization and the internationalization of the legal service market,the professional quality and international perspective of foreign-related lawyers have become important standards for measuring the level of a country's legal services. This article aims to systematically study the training path for foreign-related lawyers in China, analyze the challenges and shortcomings of the current training model, and propose a new path for training foreign-related lawyers that adapts to Chinese characteristics based on the experience of training. First, the article explores the background and motivations for training foreign-related lawyers in China. With the globalization of China's economy and the advancement of national strategies such as the "One Belt, One Road" initiative, Chinese companies have become more active on the international stage. In this context, it is particularly urgent to cultivate foreign-related lawyers with international vision and professional capabilities. In addition, the rapid changes in the international legal services market have also placed higher professional and skill requirements on foreign-related lawyers. Then, the article further analyzes the main challenges faced by the cultivation of foreign-related lawyers in China, including the high barriers to entry in the international legal service market, the disconnect between domestic legal education and practice, and the difficulties in cross-cultural.Furthermore,this article examines the British lawyer training model in detail. This model provides important inspiration for the training of foreign-related lawyers in China, especially in terms of professional practice ability training and professional ethics education. Finally, the article puts forward strategies for building a new path for cultivating foreign-related lawyers in China. It is recommended to be guided by the country's foreign-related legal strategy, strengthen the dual education of legal professional ethics, focus on the close integration of legal education and practical work, and cultivate special talents who are proficient in the laws, cultures and languages of different countries. These measures will help enhance the international competitiveness of China's foreign-related lawyers and better serve the country's opening up and international cooperation.

Keywords

International Perspective; Foreign-related Lawyers; Training Path; Legal Ethics

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1 Introduction

In the wave of globalization, the internationalization of legal services has become an irreversible trend. As an important participant in the world economy, China's legal services market is also accelerating the pace of internationalization. In this context, the training of Chinese foreign-related lawyers is particularly important. This article aims to explore the training path of Chinese foreign-related lawyers from an international perspective, and aims to provide theoretical support and practical guidance for the international training of Chinese legal talents.

The background for training foreign-related lawyers in China is multi-faceted. First of all, as China's opening up to the outside world continues to deepen, foreign-related economic activities have become increasingly frequent, and the demand for legal services has also increased. In addition, changing trends in the international legal service market, such as the increase in the legal needs of multinational companies and the frequent occurrence of international trade disputes, have also put forward new requirements for the training of Chinese foreign-related lawyers. The motivation for cultivating foreign-related lawyers in China is more direct. On the one hand, foreign-related lawyers are an important force in promoting the internationalization of China's legal services and can help Chinese companies and citizens better integrate into the global market. On the other hand, as competition in the international legal services market intensifies, China urgently needs to cultivate legal experts who can represent China's interests on the international stage. However, in the process of cultivating foreign-related lawyers, , China also faces many challenges. Issues such as barriers to entry in the international legal services market, the disconnect between legal education and practice, and difficulties in cross-cultural exchanges and cooperation are all difficult problems that need to be solved. These challenges not only affect the quality of training of foreign-related lawyers in China, but also It has restricted the internationalization process of China's legal services industry. In the process of seeking to solve these challenges, internationally advanced lawyer training models provide valuable inspiration. Taking the UK as an example, its lawyer training model emphasizes international training, the diversity of law firm organizational forms, and the cultivation of professional practice capabilities, etc., which provides useful reference for the training of foreign-related lawyers in China.

Based on the above analysis, this article puts forward suggestions for building a new path for training foreign-related lawyers in China. This includes taking the country's foreign-related legal strategy as the primary starting point, strengthening the training of dual legal professional ethics knowledge, legal education should focus on the close integration with practice, and cultivating specialized talents who are proficient in foreign cultures and languages. These suggestions aim to provide a comprehensive and systematic framework for the training of foreign-related lawyers in China to adapt to the needs of the international legal service market. In short, cultivating Chinese foreign-related lawyers from an international perspective is a complex but necessary task. By conducting in-depth research on the needs of the international legal services market, analyzing the challenges faced by China's existing training model, and drawing on advanced international experience, China is fully capable of cultivating foreign-related professionals who have profound legal skills and can adapt to the needs of the international legal services market. Legal talent. This will not only help enhance the international competitiveness of China's legal services industry, but also lay a solid foundation for China to play a greater role in the construction of the global rule of law.

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2 The background and motivation of cultivating foreign-related lawyers in China

2.1 The background of training foreign-related lawyers in China

In today's context of rapid globalization, international legal affairs have become increasingly complex and important. As the world's second largest economy, China's active participation in the international arena has led to a sharp increase in demand for foreign-related legal services. This increase in demand is not only reflected in business activities such as transnational corporate transactions and international dispute resolution, but also in the implementation of national strategies such as the "One Belt, One Road" initiative. Therefore, cultivating foreign-related lawyers with international vision and professional capabilities is of great significance for supporting Chinese enterprises' overseas expansion and protecting national interests.

The background of training foreign-related lawyers in China can be elaborated from the following aspects: First, the direct consequence of economic globalization is the integration of economies, cultures and laws of various countries, which puts forward higher requirements for legal professionals. When dealing with international legal affairs, Chinese lawyers must not only be familiar with domestic laws, but also must master international legal norms. and international business practices, as well as the legal systems of relevant countries. This demand has given rise to the necessity of professional training for foreign-related lawyers. Secondly, China's opening-up policies, such as joining the World Trade Organization (WTO) and promoting the "One Belt, One Road" initiative, have further increased the demand for foreign-related legal services. These international cooperation and exchange projects not only involve the signing and execution of a wide range of international legal documents, but also involve the ability to resolve legal conflicts between multiple jurisdictions. Furthermore, with the implementation of the "going global" strategy of Chinese enterprises, the number of overseas investment, mergers and acquisitions and construction projects has increased significantly. The contract negotiation, risk assessment, dispute resolution and other aspects involved in these activities urgently require professional support from foreign-related lawyers.This not only promotes the development of foreign-related legal practice, but also motivates legal educators and policy makers Rethink and design the training model for foreign-related lawyers. Fourth, international rule-making and participation. Foreign-related lawyers play an important role in the formulation of international rules and the settlement of international disputes. Chinese foreign-related lawyers not only need to participate in the formulation of international legal rules, but also need to represent China's interests in international dispute settlement. This requires Chinese foreign-related lawyers to have the ability to formulate and apply international legal rules.

To sum up, the training background of China's foreign-related lawyers is formed under the dual promotion of internationalization and market demand. In the future, how to effectively integrate international resources and standards while maintaining the local advantages of legal education is an issue that legal educators and relevant policy makers need to seriously consider.

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2.2 Motives for cultivating foreign-related lawyers in China

With the rapid development of China's economy and the deepening of globalization, Chinese enterprises and citizens have become increasingly active on the international stage, and foreign-related legal affairs have also increased. This trend requires that the Chinese legal services market must adapt to the standards and needs of international legal services, especially in handling cross-border transactions and international dispute settlement. Therefore, cultivating foreign-related lawyers with international vision and professional capabilities has become an unavoidable task in China's legal education and legal practice.

First of all, the Chinese government attaches great importance to the construction of a country governed by the rule of law, which provides policy support for the training of foreign-related lawyers. The rule of law is an important part of the modern national governance system, and foreign-related lawyers play an irreplaceable role in promoting the rule of law and safeguarding national interests and international image. Secondly, competition in the international legal service market has intensified , Chinese lawyers face fierce competition from legal service providers around the world. In order to occupy a place in this market, Chinese lawyers must have corresponding international legal knowledge, cross-cultural communication skills and international business negotiation skills.In addition, China needs foreign-related lawyers to play an important role in the process of formulating international rules and resolving international disputes. Chinese foreign-related lawyers not only need to participate in the formulation of international legal rules, but also need to represent China's interests in international dispute settlement. This requires Chinese foreign-related lawyers to have the ability to formulate and apply international legal rules. Finally, the need for cross-cultural exchanges and cooperation is also an important motivation for promoting the training of foreign-related lawyers in China.

To sum up, the motivations for cultivating foreign-related lawyers in China are diversified, including the need for domestic legal construction and the challenges of the international legal service market. Against this background, the study of the training path of foreign-related lawyers in China aims to explore how to cultivate legal professionals who can adapt to the needs of the international legal service market and have international competitiveness from an international perspective.

2.3 Changing trends in the international legal services market

The changing trends of the international legal services market are multi-dimensional and reflect the dynamic changes of globalization, technological progress and market demand. Here's an overview of these trends:

First, the driving force of globalization. Globalization is the main force driving changes in the international legal services market. As multinational corporations increase and international trade expands, the demand for legal services grows. Large law firms are expanding overseas and setting up branches to meet the needs of global clients. This trend is not only reflected in the expansion of market size, but also in the diversification and specialization of services. Second, technological innovation: Technological progress, especially the application of artificial intelligence (AI), is changing the way legal services are provided. AI-driven software can help law firms save time, automate document generation and review processes, and increase

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efficiency. Additionally, team collaboration tools and online legal consultation platforms are streamlining the delivery of legal services. Third, the growth of market size: According to statistics , the global legal services market size has grown steadily over the past few years. It is expected that the market size will reach US$981.08 billion by 2029, with a compound annual growth rate of 4.52%. This growth reflects continued increases in demand for legal services, particularly in Asian markets, which are expected to outpace growth in North America and Europe in the coming years.Fourth, the increase in global legal regulations and compliance needs. As multinational companies expand their operational scope, understanding and complying with global legal norms has become particularly important. Compliance management in a multi-national legal environment requires lawyers not only to master the laws of their own country, but also to be familiar with the legal systems and international regulations of relevant countries in order to effectively manage legal risks in cross-border operations. Fifth, changes in international dispute settlement methods. In global business activities, the way international disputes are resolved is also changing. As one of the main ways to resolve international commercial disputes, arbitration is generally recognized by the international business community for its efficiency and enforceability. In addition, The complexity and cost of cross-border litigation have also driven the development of alternative dispute resolution mechanisms such as mediation.

3 Challenges faced by the training of foreign-related lawyers in China

3.1 Barriers to entry in the international legal services market

First, the differences in legal systems. There are significant differences in the legal systems of different countries, which represents a significant barrier to entry for foreign law firms. Lawyers need to adapt to different legal environments and master different legal knowledge and practical experience, which places higher demands on lawyers' professional abilities. Second, the professional qualification certification is different. Most countries require lawyers to pass a local legal professional qualification examination before they can practice law in that country. For foreign lawyers, this means they need additional time and resources to prepare for and pass these exams, which undoubtedly increases the difficulty of entering the market. Regulatory policies vary. Countries have different regulatory policies for law firms. These policies may include specific restrictions on foreign law firms, such as restrictions on their business scope, cooperation forms or investment methods in the country. These policies constitute barriers to entry for foreign legal service providers. Third, cultural and language barriers: The provision of legal services often involves an in-depth understanding of local culture and language. Foreign law firms need to overcome language barriers and have sufficient understanding of local business practices and legal culture to effectively serve local clients. Fourth, economic rationality and strategic choice: When foreign law firms choose to enter a country's legal service market, they will base their economic rationality and strategic considerations on it. If the cost of market entry is too high or the expected returns do not adequately compensate for the risks, they may choose not to enter the market.

To sum up, the barriers to entry in the international legal services market are complex and diverse, involving legal, economic, cultural and other levels. These barriers not only affect the international expansion strategies of legal service providers, but also have an important impact on the structure and development of the global legal services market.

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3.2 The disconnect between legal education and practice

The disconnect between legal education and practice in China is a long-standing and widely discussed issue. This disconnect is mainly manifested in the following aspects:

First, the difference between theory and practice: China's legal education has traditionally focused on the teaching of theoretical knowledge, while the cultivation of practical legal practice skills is relatively lacking. Students are mostly exposed to abstract legal concepts and principles during school, but lack sufficient opportunities to apply this knowledge to solve practical legal problems. Second, there is a mismatch between teaching content and market demand. The rapid growth of law school departments has not been accompanied by corresponding adjustments to the content and methods of legal education, resulting in a large number of law graduates whose knowledge structure and skills cannot meet the actual needs of the market. This mismatch makes it difficult for many law graduates to find employment, while the legal service market, especially in the field of grassroots legal practice, is facing a shortage of talents.Third, the structural problem of the teaching staff. Although the number of legal teachers has increased, there is a relative shortage of high-level legal educators and teachers with rich practical experience. This structural problem affects the improvement of the quality of legal education and limits students' opportunities to learn from practice. Fourth, the lack of professional ethics and professional skills. There is a lack of systematic cultivation of legal professional ethics and professional skills in Chinese legal education. Legal professionals without judicial ethics training may not be able to effectively handle ethical issues in the legal profession, while legal professionals who lack professional skills may have difficulty adapting to the actual requirements of the profession.

In order to solve these problems, Chinese legal education needs profound reflection and reform. This includes strengthening practical teaching and cooperating with legal practice departments to provide more internship and practice opportunities; adjusting educational content to better adapt to market needs; clarifying educational goals and distinguishing different types of legal education; strengthening the construction of teaching staff, especially It is to enhance the practical experience and teaching ability of teachers; and to strengthen the cultivation of judicial ethics and professional skills to improve the overall quality of legal professionals. Through these measures, the gap between legal education and practice can be narrowed and more legal talents that meet the needs of society can be cultivated.

3.3 Difficulties in cross-cultural communication and cooperation

The difficulties in cross-cultural communication and cooperation have a significant impact on lawyers' transnational practice. In the globalized legal services market, lawyers not only need to master legal knowledge, but also have the ability to communicate across cultures. The following are several aspects of the impact of cross-cultural communication difficulties on lawyers' transnational practice.

First, there are language barriers and cultural differences. Language is the basis of cross-cultural communication. When lawyers work in different language environments, language barriers can lead to misunderstandings and miscommunication. Even if a lawyer has mastered a second language, non-native speakers may still have difficulty with the precise use of legal terminology and understanding of legal texts.

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Different legal systems are often rooted in different cultural traditions. When practicing across borders, lawyers must understand and adapt to different cultural values, business habits and legal practices. Cultural differences may lead to different interpretations of legal procedures and principles, adding to the complexity of cross-border legal services.Second, communication styles vary greatly. Direct versus indirect communication styles have different preferences in different cultures. When lawyers work in a cross-cultural environment, they need to adapt their communication style to suit the communication style of their clients or colleagues. A mismatch in communication styles may affect attorney-client relationship building and the development of a sense of trust. Third, differences in legal practice are evident. Many details in legal practice, such as contract negotiations, litigation strategies, etc., are deeply influenced by culture. Lawyers may need to adopt different legal practice methods in different cultural backgrounds, which requires lawyers not only to understand legal knowledge, but also to have cross-cultural adaptability.Fourth, professional ethics and behavioral rules are quite different. There may be differences in professional ethics and standards for lawyers in different countries. When lawyers practice across borders, they are required to comply with local professional norms, which may differ from those with which they are familiar. Adapting to new professional norms is another challenge of practicing internationally.

In order to overcome these difficulties, lawyers need to improve their cross-cultural communication skills through professional training and learn and adapt to different legal systems and cultural environments. In addition, law firms can also promote communication and cooperation between lawyers with different cultural backgrounds by establishing diversified teams to improve the efficiency and effectiveness of cross-border practice. In short, the ability to communicate and cooperate across cultures has become one of the key skills for modern lawyers' transnational practice.

4 Inspiration from the International Advanced Lawyer Training Model - Taking the UK as an Example

In the UK, legal education pathways are carefully designed to ensure that future legal practitioners not only have a solid theoretical foundation, but also have the necessary practical skills. This education path is divided into three main stages: academic stage, vocational qualification stage and internship stage. Each stage provides refined education and training for different career needs.

4.1 Education and training model of British lawyers

4.1.1 Academic stage

Legal education in the UK begins with comprehensive academic study. For those students who wish to become legal professionals, they usually need to obtain a Bachelor of Laws (LLB) degree. This degree usually lasts three years and covers a wide range of legal areas, from contract law and criminal law to property law and European Union law, and is designed to provide students with a solid foundation of legal knowledge. For students with a non-legal background, they can supplement their legal knowledge by taking a one-year Graduate Diploma in Law (GDL) course.The GDL course is designed to be similar to the Bach-

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elor of Laws course , but more compact, emphasizing the rapid mastery of legal theory, allowing students to reach the same level as undergraduate law graduates in a short period of time.

4.1.2 Professional qualification stage

After academic studies, students enter the professional qualification stage, where the choice depends on the direction of their future career - becoming a solicitor or barrister. Solicitors must complete the Legal Practice Course (LPC), a more hands-on training that covers practical skills from client interviewing and case management to contract drafting.LPC courses usually last one year, It is a critical preparation stage for a lawyer's career. For students who want to become barristers, they need to pass the Bar Professional Training Course (BPTC), this course also focuses on the cultivation of practical abilities, including debating, courtroom coping skills and writing legal opinions. Upon completion of BPTC, students have the basic ability to represent clients in court.

4.1.3 Internship stage

After the vocational course, students enter the internship stage. For lawyers, they need to undertake a two-year training contract in a law firm, which is the practical starting point of their career. During this time, they will gain broad practical experience working in multiple areas of law. Barristers enter a one-year apprenticeship (pupillage), usually in chambers. The apprenticeship period is divided into two six-month phases. The first phase is mainly about observation and learning, and the second phase involves exposure to actual cases.

Through this series of rigorous education and training, the British legal education system ensures that legal professionals are fully prepared in theory and practice and can serve society efficiently and professionally. This model provides important reference for the training of foreign-related lawyers in China.

4.2 The implications of this model for China

First, strengthen the combination of academic and practice. The academic stage of British legal education focuses on theoretical foundations, while the professional qualification and internship stages focus on the development of practical skills. China can learn from this model and strengthen the integration of theory and practice in legal education. At present, Chinese law school courses tend to focus on theory, and practical teaching is relatively weak. Adding more moot courts, legal clinics and case analysis courses can improve students' practical abilities and lay a solid foundation for their foreign-related practice. Second, establish a professional qualification stage. China's current lawyer qualification examination mainly focuses on the examination of legal knowledge, and the assessment of practical skills is relatively limited. Drawing on the British LPC and BPTC, China can consider setting up specialized vocational training courses for foreign-related lawyers to provide systematic training specifically for international legal practices, such as international commercial arbitration, cross-border mergers and acquisitions, etc. This will help improve the professional service capabilities of lawyers. Third, the standardized internship stage. The internship stage of British lawyers adopts strict supervision and structured training to ensure that trainee lawyers can learn practice under the guidance of experienced lawyers. China should strengthen the standardized management

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of the internship stage of lawyers, such as setting clear internship goals, content and evaluation standards to ensure that internships are not just a formality, but a real professional skill development.Fourth, the strengthening of professional ethics education. In British lawyer education, professional ethics education occupies a very important position. It is emphasized from the academic stage and continues throughout the entire career.The training of Chinese foreign-related lawyers also requires strengthening of professional ethics education, especially in the field of international law In service, the cultivation of professional ethics is extremely important for establishing a good professional image and promoting international cooperation.

5 Establishing a new path for cultivating foreign-related lawyers in China

From an international perspective, the demand for training foreign-related lawyers in China is growing rapidly. This chapter will discuss in detail the key strategies for building a new path for training foreign-related lawyers in China to adapt to the needs of the global legal service market and enhance China's competitiveness and influence on the international legal stage.

5.1 Take the country's foreign-related legal strategy as the primary starting point

China's foreign-related legal strategy should become the primary starting point for the training path of foreign-related lawyers. With the advancement of national strategies such as the "One Belt, One Road" initiative, the "going global" strategy of Chinese enterprises, and the continuous deepening of international exchanges, there is an increasing demand for foreign-related lawyers who are proficient in international law.Training foreign-related lawyers should focus on Support the implementation of these national strategies and provide legal protection for Chinese enterprises' overseas expansion and international cooperation. Education departments and legal professional education institutions should closely integrate with national strategies to formulate educational policies and curriculum that are in line with national interests and international development trends.

5.2 Strengthen the training of dual legal professional ethics knowledge

Foreign-related lawyers play a role on the international stage not only as a provider of legal services, but also as a representative of the country's image. Therefore, it is crucial to strengthen the dual legal professional ethics knowledge of foreign-related lawyers. This includes an in-depth understanding of Chinese legal professional ethics and familiarity with international legal ethics. Law schools should make professional ethics education a core part of the curriculum, through case analysis, Role-playing and mock trials enable students to deeply understand and practice the application of Chinese and foreign legal professional ethics.

5.3 Legal education should focus on close integration with practice

In order to improve the practical ability of foreign-related lawyers, legal education should pay more attention to the close integration with legal practice. This can be achieved by adding practice-oriented courses, expanding internship opportunities, and establishing closer working relationships with law firms. Law schools should regularly invite foreign-related lawyers with rich practical experience to give lectures and

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seminars, and encourage students to participate in activities such as international moot court competitions to improve the practical transformation rate of theoretical knowledge through practical operations.

5.4 Cultivate specialized talents proficient in foreign cultures and languages in different regions

In foreign-related legal services, cultural and language differences in different regions are often the main factors causing communication barriers. Therefore, according to the country's international exchange needs and geopolitical considerations, it is particularly important to cultivate legal professionals who are proficient in specific cultures and languages. This includes adding intensive foreign language courses, providing overseas exchange opportunities, and establishing dual degree or joint training programs with foreign law schools.Through these Measures not only enhance students' cross-cultural communication skills, but also improve their ability to deal with complex international legal issues.

6 Conclusion

This study deeply explores the training path of Chinese foreign-related lawyers from an international perspective, analyzes the background, motivations and challenges faced by the current training of foreign-related lawyers in China, and extracts key inspirations from international advanced lawyer training models, especially the United Kingdom. For example, a new path for cultivating foreign-related lawyers adapted to Chinese characteristics was proposed. Through this study, we can draw the following conclusions. First of all, the need to train foreign-related lawyers in China stems from the country's increasingly urgent need for international legal service capabilities, especially in the "Belt and Road" initiative and other international cooperation. In addition, the changing trends in the international legal services market also require Chinese lawyers to have a higher level of international vision and professional capabilities. Secondly, the main challenges faced by China's foreign-related lawyers in the training process include the high entry standards of the international legal service market, the disconnect between domestic legal education and international legal practice, and the difficulty of cross-cultural communication. These challenges hinder the performance and competitiveness of Chinese lawyers in the international legal services market. Thirdly, the British lawyer training model provides important inspiration, especially its emphasis on professional training and internship experience in the professional qualification stage, which provides a reference for the training of foreign-related lawyers in China. The British model emphasizes the combination of theory and practice, professional ethics education and personalized career development paths. These are aspects that urgently need to be strengthened in the training of Chinese foreign-related lawyers. Finally, based on the above analysis, this article proposes a new path for cultivating foreign-related lawyers in China, including taking the national foreign-related legal strategy as a guide, strengthening legal professional ethics education, strengthening the close integration of legal education and practice, and cultivating lawyers who are proficient in specific cultures and languages. Legal talent. The implementation of these strategies will help Chinese foreign-related lawyers better adapt to the needs of the global legal services market and enhance China's influence in international legal affairs.

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To sum up, the optimization of the training of foreign-related lawyers in China is a systematic project that requires the joint efforts of educational institutions, government departments and international cooperation. By implementing these strategies, the international competitiveness of China's foreign-related lawyers can be effectively enhanced and solid legal support can be provided for China to play a more active and constructive role in the globalization process.

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